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7 *e-filed December 19, 2018*

8 **UNITED STATES BANKRUPTCY COURT**

9 **DISTRICT OF NEVADA**

10 In re:

11 KENNETH RAY MCMAHAN

CASE NO.: 18-12586-ABL  
TRUSTEE: BRIAN SHAPIRO

12 CHAPTER: 7

13 HEARING DATE: JANUARY 23, 2019  
14 HEARING TIME: 9:30 AM

15 Debtor(s)

16  
17 **MOTION TO WITHDRAW AS ATTORNEY OF RECORD**

18 SETH D. BALLSTAEDT, ESQ. moves this Honorable Court for an order allowing  
19 withdrawal as attorney of record for Debtor. This motion is made and based upon the  
20 pleadings and papers on file herein, and upon the following Points and Authorities.  
21

22 **STATEMENT OF FACTS**

23 1. KENNETH RAY MCMAHAN (hereinafter referred to as “debtor(s)”), commenced this  
24 case on May 3, 2018 by filing a voluntary petition for relief under Chapter 13 of Title 11  
25 of the United States Bankruptcy Code.

26 2. Debtor has hired alternative counsel and is no longer paying Ballstaedt Law Firm.

27 Ballstaedt Law Firm seeks to withdraw as counsel of record for Debtor, and not represent  
28 Debtor in subsequent events within the instant case.

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2                   **POINTS AND AUTHORITIES**  
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4                   E.D.C.R. 7.40(2)(I) states as follows:

- 5                   (2)       When no attorney has been retained to replace the attorney withdrawing, by order  
6                   of the court, granted upon written motion therefore, and  
7                   (i)       If the application is made by the attorney, he must include in an affidavit, the  
8                   address, or last known address, at which the client may be served with notice of further  
9                   proceedings taken in the case in the event application for withdrawal is granted, and he  
                 must serve a copy of the application upon the client and all other parties to the action or  
                 their attorneys...

10                   **PRAYER**

11                   WHEREFORE, Seth D. Ballstaedt and The Ballstaedt Law Firm hereby request this  
12                   Honorable Court grant this Motion for Withdrawal as Counsel in the instant case.

13                   Dated this 19 day of December, 2018

14                   /s/ Seth D. Ballstaedt, Esq.  
15                   Seth D. Ballstaedt, Esq.  
16                   *Attorney for Debtor(s)*